

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

B.L., a minor, by and through her father,)	
LAWRENCE LEVY, and her mother,)	
BETTY LOU LEVY,)	Civ. No. 3:17-cv-1734-JPW
)	
Plaintiff,)	
)	
v.)	
)	
MAHANOEY AREA SCHOOL)	
DISTRICT,)	
)	
Defendant.)	
_____)	

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE PETITION
FOR ATTORNEYS' FEES AND EXPENSES**

Plaintiff B.L., by and through her undersigned counsel, and with the express consent of defendant, seeks a 30-day extension of time to file her Petition for Attorneys' Fees and Expenses, and in support thereof avers as follows:

1. This case presented the issue of whether a public school district violates the First Amendment when it prohibits a student from participating in an extracurricular activity because the student made a negative comment about the activity while off-campus.
2. This Court granted Plaintiff B.L.'s motion for summary judgment, ruling that the Mahanoy Area School District's actions violated her First Amendment rights. ECF No. 57.

3. The defendant filed an appeal with the U.S. Court of Appeals for the Third Circuit.
4. The Third Circuit issued a precedential opinion and judgment affirming the decision of the district court on June 30, 2020. ECF No. 64.
5. Mahanoy Area School District filed a Petition for Certiorari in the U.S. Supreme Court, which was granted on January 8, 2021.
6. The U.S. Supreme Court issued a decision affirming the ruling of the Third Circuit in favor of B.L. on June 23, 2021.
7. Appellee intends to file a Petition for Attorneys' Fees and Expenses for the fees and costs accrued by her attorneys in representing her in this Court and the U.S. Supreme Court.
8. Appellee's fee petition is due on or before December 24, 2021. ECF No. 73.
9. The parties are continuing to engage in discussions regarding the attorneys' fees accrued by Appellee's counsel in this case with the goal of reaching a settlement of the attorneys' fees and avoiding the necessity of filing a fee petition.
10. The parties have agreed to enlist the assistance of a mediator if they are unable to reach a settlement of the attorneys' fees within 30 days.

11. Appellee thus respectfully requests that this Court grant her motion for a 30-day extension of time to file a fee petition, until January 23, 2022.
12. Appellant, by and through its counsel, Michael Levin, has consented to this request for extension of time.

WHEREFORE, Appellee respectfully requests that this Honorable Court grant her motion for extension of time and order that Appellee's Petition for Attorneys' Fees and Expenses be filed on or before January 23, 2022.

Respectfully submitted,

Dated: December 22, 2022

ACLU OF PENNSYLVANIA

By: /s/ Sara J. Rose

Sara J. Rose (PA. ID No. 204936)

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